

2. Arlington I.S.D. et al., filed some twenty-five secured tax claims for 2008 business personal property and real property taxes, as well as, twenty-five secured administrative tax claims for post-petition 2009 taxes on business personal property and real property located within their jurisdiction.
3. On September 9, 2009, the Debtors filed their Disclosure Statement with Respect to First Amended Joint Plan of Liquidation of Circuit City Stores, Inc., and Affiliated Debtors and Debtors in Possession and its Official Committee of Creditors Holding General Unsecured Claims [Docket No. 5030] setting the Confirmation hearing for November 23, 2009.
4. Arlington I.S.D. et al., has objected to the confirmation of the First Amended Joint Plan of Liquidation.
5. On November 13, 2008, the Court entered an Order Pursuant to Bankruptcy Code Section 102 and 105, Bankruptcy Rules 2002 and 9007, and Local Bankruptcy Rules 2002-1 and 9013-1 Establishing Certain Notice, Case Management, and Administrative Procedures (the "Order"). On Page 4 of Exhibit A, the Order states:
 - a. Upon request, the Court may allow counsel to listen to a hearing by telephone. If a matter is contested, counsel must attend in person, unless leave of the court is granted on a case by case basis.
6. Arlington I.S.D. et al. have throughout this case been represented by Elizabeth Banda who is located in Arlington, Texas. Ms. Banda is, however, unable to attend the confirmation hearing for medical reasons. Owen M. Sonik, who is located in Houston, Texas, has assumed the representation of Arlington I.S.D. in Ms. Banda's absence, but is unable to attend the confirmation hearing in person. Arlington I.S.D. et al. respectfully asks for leave of court pursuant to the Order so that he may appear by telephone.

7. Arlington I.S.D. et al., have, through local counsel, filed a motion for appearance *pro hac vice* for Owen M. Sonik. On November 17, 2009, the Court entered an Order authorizing Owen M. Sonik to appear *pro hac vice*.

8. Local counsel for Arlington I.S.D. et al. will attend the hearing in person. However, local counsel is not licensed to practice law in Texas and, generally, has little knowledge of Texas law. Arlington I.S.D. et al. assert secured claims against the Debtors, and Arlington I.S.D. et al. have objected to the treatment of their claims under the Debtors' First Amended Joint Plan of Liquidation. The resolution of the dispute will involve, among other things, the interplay between Texas law and the Bankruptcy Code. As a result, Mr. Sonik should be allowed to appear telephonically to address the issues raised in the pleadings filed by Arlington I.S.D. et al.

9. Based on Ms. Banda's unavailability, the need for Mr. Sonik to assume the representation on an emergency basis, and the unnecessary expenses that would be incurred as a result of Mr. Sonik appearing in person or having local counsel learn Texas law, the ends of justice would be served by allowing Mr. Sonik to appear by telephone.

WHEREFORE, Arlington I.S.D. et al, respectfully requests that this Court grant their Motion and enter an order substantially in the form annexed hereto permitting Owen M. Sonik to appear and be heard by telephone at the hearing on November 23, 2009 on behalf of Arlington I.S.D., et al, and grant such other relief as may be just.

Respectfully submitted,

ARLINGTON ISD, *et al.*

By: /s/ W. Joel Charboneau
Magee Goldstein Lasky & Sayers, P.C.

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CERTIFICATE OF SERVICE

I certify that on November 17, 2009, I electronically filed the Motion for Leave to Attend Hearing by Telephone with the United States Bankruptcy Court for the Eastern District of Virginia and on this same date, and copies of the motion with proposed order were served by electronic mail on the entities comprising the Primary Service List (as defined in Exhibit A to the Order dated November 12, 2008, governing notice procedures). On this same date, I mailed copies to the persons set forth below.

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Attn: Chris L. Dickerson

/s/ W. Joel Charboneau

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Sonik (2).doc

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ATTORNEYS FOR ARLINGTON ISD, *ET AL.*

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

IN RE:)	CASE NO. 08-35653-KRH
)	CHAPTER 11
CIRCUIT CITY STORES, INC. <u>et al.</u>,)	
)	
DEBTOR)	Jointly Administered
)	
)	

**ORDER GRANTING MOTION FOR LEAVE
OF COURT TO ATTEND HEARING BY TELEPHONE**

Upon consideration of the Motion for Leave of Court to Attend Hearing by Telephone filed by Owen M. Sonik, and it appearing that the motion having been served upon counsel for Circuit City Stores, Inc., *et al.* (collectively, the “Debtors”), counsel for the Official Committee of Unsecured Creditors, and the Office of the United States Trustee for the Eastern District of Virginia, and after due deliberation and sufficient cause appearing therefore, it is hereby,

ORDERED, that the Motion for Leave of Court to Attend Hearing by Telephone filed by Arlington Independent School District, *et al.*, is GRANTED and Owen M. Sonik is permitted to appear and be heard by telephone at the confirmation hearing on November 23, 2009 on behalf of Arlington I.S.D., *et al.*

ENTERED in Richmond this day _____, November, 2009.

Honorable Kevin R. Huennekens
United States Bankruptcy Judge

WE ASK FOR THIS:
ARLINGTON I.S.D. *et al.*

/s/ W. Joel Charboneau
W. Joel Charboneau (VSB #68025)
Magee Goldstein Lasy & Sayers, P.C.
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Certificate in Accordance with Local Rule 9022-1(C)

Pursuant to Local Rule 9022-1(C), I hereby certify that the foregoing proposed order has been served on all necessary parties.

/s/ W. Joel Charboneau